

REMARKS

Claims 1 through 4 and 6 through 23 are pending. Claims 1 through 10, 17, and 21 stand rejected under § 103(a) as obvious in view of the '493 publication to Annable and the EP '035 application to Lampila. Claims 11 through 16, 18 through 20, 22, and 23 stand rejected under § 103(a) as obvious in view of the combination cited above and in further view of Clark '669. Applicant respectfully requests reconsideration and withdrawal of the rejection of the claims in view the arguments set forth below.

The obviousness rejection is premised on use of the microcreping method of the EP '035 reference (Lampila) to the multi-layer nonwoven article of Annable '493. In particular, it is the Examiner's position that the primary reference (Annable '493) teaches of a microcreped nonwoven web that may be a single or multi-layer web, and that the secondary reference to Lampila EP '035 teaches a microcreped nonwoven web having a pore size greater than 100 microns. The Examiner asserts that it would be obvious for one skilled in the art to employ the microcreping method of Lampila EP '035 to the multi-layer nonwoven article of Annable to meet the limitations set forth in the present claims. Applicant respectfully submits that microcreping the multi-layer structure of Annable '493 with the method of Lampila EP '035 would not result in a structure according to claim 1.

It is significant to point out that, in the process and structure according to Annable '493, the nonwoven web (whether a single layer or multi-layers) is microcreped within the treatment zone 110. The entire web (i.e. all layers) passes under the primary blade 108 and is compressed in the Z-direction between the blade 108 and the surface of the drum 104. As the web 36 passes under the end of the primary blade 108, it

contacts the operating face of blade 130 and is compressed in a lengthwise direction. Thus, it should be understood that the complete web is microcreped as a unitary web regardless of the number of layers within the web. The microcreping process thus acts on the entire web structure, and does not discriminate between different layers within the web. Substituting the microcreping process of Lampila EP '035 with the microcreping process of the primary Annable '493 reference does not change this characteristic. The microcreping process of Lampila EP '035 may result in a web of single or multiple layers having a mean pore size greater than 100 microns, but will not provide a laminate having a first web layer with a pore size of greater than 100 microns, and a second web layer laminated to the first web layer having a pore size of less than 100 microns. In the combination process proposed by the Examiner, the laminate is already formed and is then subjected to the microcreping process. The microcreping process will thus have its affect on the entire web structure, and not on any one individual layer within the web structure.


On the other hand, the structure of claim 1 calls for a web laminate of a first nonwoven web layer having an equivalent pore radius greater than 100 microns, and a separate nonwoven web layer having a pore size of less than 100 microns. Thus, the laminate is formed from two distinct nonwoven web layers having two distinct pore sizes. These nonwoven web layers are laminated together to form the claimed article. Microcreping a previously formed multi-layer laminate does not provide this structure.

Accordingly, applicant respectfully submits that all pending claims are allowable over the proposed combination of reference and reconsideration of the final rejection is respectfully requested. Applicant submits that all pending claims are allowable and that

the application is in condition for allowance. Favorable action thereon is respectfully requested. The Examiner is encouraged to contact the undersigned at her convenience should she have any questions regarding this matter or require any additional information.

Respectfully submitted,

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